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*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANIMAL WELLNESS ACTION, a non-  
profit corporation, CANA FOUNDATION, a  
non-profit corporation, THE CENTER FOR A  
HUMANE ECONOMY, a non-profit  
corporation, LAURA LEIGH, individually,  
and WILD HORSE EDUCATION, a non-  
profit corporation,

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF  
INTERIOR, BUREAU OF LAND  
MANAGEMENT, and JON RABY, Nevada  
State Director of the Bureau of Land  
Management, and the

*Defendants.*

CASE NO. 3:22-cv-00034-MMD-CLB

**MOTION TO WITHDRAW OR  
VACATE VOLUNTARY DISMISSAL,  
FILED IN ERROR AT DOCKET NOS. 90  
AND 91 AND [PROPOSED] ORDER**

1 On June 12, 2024, Plaintiffs filed a Notice of Voluntary Dismissal of Parties without  
2 Prejudice, dismissing Animal Wellness Action and the Center for a Humane Economy from this  
3 matter **in error**. See ECF No. 90. Plaintiffs intended to file a voluntary withdrawal of cross  
4 appeal on behalf of these two parties with the U.S. Court of Appeals for the Ninth Circuit and did  
5 not intend to dismiss them from this matter. Notably, Plaintiffs have prevailed in this litigation  
6 and are working toward a negotiated resolution of remaining issues, including attorneys' fees and  
7 costs. See, e.g. ECF Nos. 87, 88 (stipulating and order extending the deadline for Plaintiffs to file  
8 a motion for attorneys' fees and costs to give the parties time to negotiate a settlement). Plaintiffs  
9 would be highly prejudiced if the Court did not grant this Motion.

10 THEREFORE, Plaintiffs respectfully request that the Court vacate Plaintiffs' voluntary  
11 dismissal, filed at ECF No. 90, as well as the certificate of service, filed as ECF No. 91,  
12 reinstituting Plaintiffs Animal Wellness Action and The Center for a Humane Economy as  
13 parties in this matter. If vacatur is unnecessary, Plaintiffs alternatively, respectfully move to  
14 withdraw ECF Nos. 90 and 91.

15 DATED: June 13, 2024,

Respectfully Submitted,

s/ Jessica L. Blome

Jessica L. Blome

J. Rae Lovko

GREENFIRE LAW, PC

Danielle M. Holt

DE CASTROVERDE LAW GROUP

*Attorneys for Plaintiffs*

**[PROPOSED] ORDER**

Based on the foregoing, good cause having been demonstrated, Plaintiffs' Motion to Withdraw or Vacate Voluntary Dismissal, filed in error at Docket Nos. 90 and 91 is GRANTED. The Court shall vacate Docket Nos. 90 and 91, reinstituting Plaintiffs Animal Wellness Action and the Center for a Humane Economy as parties in this case.

IT IS SO ORDERED:

\_\_\_\_\_  
Hon. MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

DATED: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I HEREBY certify that a true and correct copy of the foregoing was served via the Court's CM/ECF system, which provides notice to all parties, on this 13<sup>th</sup> day of June, 2024.

/s/ Jessica San Luis

Jessica San Luis